

Application No. 10/615,761
Amendment dated December 1, 2005
Reply to Office Action of September 2, 2005

Docket No.: 08211/0200236-US0

REMARKS

Claims 1-24 were pending in the present application. A non-final Office Action was mailed by the Office on September 2, 2005. The Office Action rejected Claims 1, 3-8, 13, 15-20, 23 and 24; and also objected to Claims 2, 9-12, 14, 21 and 22. Additionally, the Abstract was objected to due to informalities.

Claims 1, 7, 12, and 13 are amended in this response. Claims 2, 14, and 23-24 are canceled. Claims 25-26 are new. Also, the Abstract has been amended to correct the inadvertent informalities. Upon entry of the instant amendment, Claims 1, 3-13, 15-22, and 25-26 will be pending. No new matter has been added.

Objection to the Abstract

The Abstract was objected to as improper due to drafting informalities. These informalities have been corrected by the above amendments.

Claim Rejections - 35 USC § 112

Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner states that the specification fails to elaborate on how the optical device is configured to transmit acoustical information.

In response to this objection, Claim 7 has been amended to clarify the language of this claim. This amendment does not narrow the scope of Claim 7. Also, the Applicants' refer to page 6, lines 3-6 of the Specification, as disclosing the use of illuminators arranged as an emitter of acoustic signals. Accordingly, Claim 7 as amended is allowable.

Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to include antecedent basis for the term "the sensors". Claim 24 has been canceled.

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Claim Objections

The instant Office Action objected to Claims 2, 9-12, 14, 21 and 22 as being dependent upon a rejected base claim, but indicated that they may be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, Claims 1 and 13 were amended to include the objected to subject matter of Claims 2 and 14 respectively. Accordingly, amended Claims 1 and 13 are now in condition for allowance. Also, since the subject matter of Claims 2 and 13 is now included in their respective independent claims, they are canceled.

Claim Dependency

Although not identified in the Office Action, informality in the dependency of Claim 12 has been corrected by the above amendments. No new matter has been added by this correction.

Claim Rejections - 35 USC § 102

Claims 13, 15, 18-20, 23 and 24 are rejected under 35 U.S.C. 102(a) as being anticipated by Iddan (US 2003/0195415).

In light of at least the above amendments which place the pending rejected claims in condition for allowance, this issue is now moot.

Claim Rejections - 35 USC § 103

Claims 1, 3-6, 8, 13, 15-18, 20, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anvi et al (US 2003/0117491) in view of Barbato et al. (US 2003/0130562).

In light of at least the above amendments which place the pending rejected claims in condition for allowance, this issue is now moot.

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New Claims 25 and 26

Rather than amend Claims 23-24, they were canceled and new Claims 25-26 were added to more clearly define this previously claimed aspect of the invention. Consequently, the addition of Claims 25 and 26 does not add new matter.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance. However, if any questions remain, please do not hesitate to contact the Applicant's attorney with the information listed below.

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Respectfully submitted,

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